

## DECISION RECORD

Decision: It is my decision to authorize the issuance of a ten year grazing lease to Richard and Victoria Evan Revocable Living Trust for Allotment #62064. The lease will be for 38 AUs at 100%FR from March 1 to the end of February. Any additional mitigation measures identified in the environmental impacts sections of the attached environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed action were considered and any necessary changes have been incorporated into the environmental assessment.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. Please be specific in your points of protest. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470).

The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, and must state clearly and concisely your specific points.

Signed by T. R. Kreager  
Assistant Field Manager

1/19/99  
Date

**Environmental Assessment for Grazing Authorization  
Allotment #62064  
EA# NM-066-98-144**

Roswell Field Office  
Bureau of Land Management  
2909 West 2<sup>nd</sup>  
Roswell, NM 88201

T2S R24E, T1N R24E, T1S R24E, T1S R23E, various sections

## **I. Introduction**

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing lease on allotment #62064. There are no projects planned for this allotment at this time. Any subsequent management activities will have a site specific analysis conducted at that time.

### **A. Purpose and Need for the Proposed Action**

The purpose of issuing a new grazing permit would be to authorize livestock grazing on public range on allotment #62064. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, and 4130.3-2.

### **B. Conformance with Land Use Planning**

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision as required by 43 CFR 1610.5-3. The proposed action is consistent with the RMP/EIS.

## C. Relationships to Statutes, Regulations, or Other Plans

The proposed action and alternative is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (CWA) (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

## II. Proposed Action and Alternatives

### A. Proposed Action:

The proposed action is to continue to authorize to the Richard and Victoria Evans Revocable Living Trust a grazing lease on allotment #62064 for 36 Animal Units (AU's) at 100% Federal Range. This equates to 434 Animal Unit Months (AUM's) in active use. Grazing will be authorized from March 1 thru the last day of February of each year. The class of livestock is cattle or its equivalent.

### B. No Permit authorization alternative:

This alternative would be not to issue a new grazing permit. There would be no livestock grazing authorized on public land.

## III. Affected Environment

### A. General Setting

Allotment #62064 is located in DeBaca County, about 13 miles south of Yeso, New Mexico. This allotment contains 1,537 acres of Federal land.

This allotment lies outside the Roswell Grazing District Boundary established subsequent to the Taylor Grazing Act, and it is classified as a Section 15 Grazing Lease. Normally, the permitted use on a Section 15 lease is established by the amount of forage produced on the public lands. Overall livestock numbers on the allotment are not set by the Bureau of Land Management. In southeastern New Mexico, this is due primarily to either the small amount of

public land found within the allotment, or the public lands are situated in small or isolated tracts that can not be managed as efficiently as larger, well blocked tracts of public lands.

This allotment is located within the Grassland vegetative community as identified within the Roswell RMP. The distinguishing feature for the grassland community is that grass species typically comprises 75% or more of the potential plant community. Short-grass, mid-grass, and tall-grass species may be found within this community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors and past resource uses.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, ACEC's, Native American Religious Concerns, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones, Floodplains. Cultural inventory surveys would continue to be required for federal actions involving surface disturbing activities. The impact of the proposed action and alternatives to minority or low-income populations or communities has been considered and no significant impact is anticipated.

## **B. Affected Resources**

1. Soils: The soils present within this allotment belong to the following general mapping unit:

Holloman-Reeves-Poquita - Very shallow to deep soils which are well drained. They are found on nearly level to steep areas on uplands and alluvial flats.

Reginier-Latom-Rock Outcrop - Very shallow and shallow soils which are well drained. They are found on nearly level to very steep areas on breaks hillslopes and ridges.

For more information, refer to Soil Survey of DeBaca County, New Mexico.

There is a certain amount of erosion that occurs naturally in this vegetation community. High winds in the spring and high intensity thunderstorms are the primary agents of soil transportation.

2. Vegetation: This allotment is within the grassland vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community.

Vegetative monitoring was conducted on this allotment in 1991. There are 5 study locations on this allotment, all of them in Loamy CP-2 range sites. Analysis of the monitoring data indicates range trend is in good condition. Copies of the monitoring data and the analysis of the data is available at the Roswell Field Office.

3. Wildlife: Game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area and

associated Habitat Management Areas refer to the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1984).

4. Threatened and Endangered Species: There are no known resident populations of threatened or endangered species on the allotment. A list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2). There are no designated critical habitat areas within the allotment. There will be no further discussion of this resource.

5. Livestock Management: This allotment previously consisted of allotments 62062, 62063, 62064, 62066. In July of 1998 the base property for this allotment was sold, and the four allotments were combined into one with the number 62064. The latest permits for the four combined allotments was for 36 AU's. As was stated earlier, the BLM does not normally set the total livestock numbers for a Section 15 lease. Actual numbers of livestock on the allotment will vary depending on resource and economic conditions as determined by the operator.

6. Visual Resources: The allotment is located within Class III and Class IV Visual Resource Management areas. The Class IV means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape. The Class III rating means that contrasts to the basic elements caused by a management activity may be evident and begin to attract attention in the landscape. The changes, however should remain subordinate to the existing landscape.

7. Water Quality: No perennial surface water is found on federal land on this allotment. Conejo Creek crosses state and deeded land on this allotment. Other small ephemeral drainages cross the allotment.

8. Air Quality: Air quality in the region is generally good. The allotment is in a Class II area

for the Prevention of Significant Deterioration of air quality as defined in the federal Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Recreation opportunities are very limited in this grazing allotment because the public has limited legal/physical access to public lands. The parcels of Public lands within this allotment are scattered and are generally surrounded by private lands.

Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails. Since grazing or lack of grazing will not have an affect on this resource, there will be no further discussion of it.

10. Cave/Karst: No known significant caves or karst features are known to exist on the public lands located within this allotment. This allotment is located in an area of low cave/karst potential. There will be no further discussion of this resource.

#### **IV. Environmental Impacts**

##### **A. Impacts of the Proposed Action**

1. Soils: Livestock remove the cover of standing vegetation and litter, and compact the soil by trampling. These effects can lead to reduced infiltration rates and increased runoff. Reduced vegetative cover and increased runoff can result in higher erosion rates and soil losses, making it more difficult to produce forage and to protect the soil from further erosion. These adverse effects can be greatly reduced by maintaining an adequate vegetative cover on the soil. Soil compaction and excessive vegetative use will occur at small, localized areas such as drinking locations, along trails and at bedding areas. Positive affects from the proposed action include the speeding up of the nutrient cycling process and chipping of the soil crust by hoof action.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. Ecological condition and trend is expected to remain stable and/or improve over the long term at the permitted number of livestock. Vegetation monitoring indicates that there is an adequate amount of forage for the proposed number of livestock and for wildlife.

3. Wildlife: Wildlife will continue to compete with domestic livestock for forage and browse. Cover, and other habitat requirements for wildlife will remain the same as the existing situation. With proper utilization levels there will be adequate cover and forage for wildlife species; resulting in sustainable wildlife populations for those species that occupy the area. Maintenance and availability of existing waterings will continue to prove a dependable water source for wildlife, as well as livestock.

4. Livestock Management: Livestock would continue to be grazed under the same management system and the same licensed numbers as they have in the past. Actual livestock numbers may vary depending on vegetative and economic conditions. No adverse impacts are anticipated.

5. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape, or the primary aspect of the vegetation within the allotment.

6. Water Quality - Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.

7. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing



alternative due to allotment management activities. The levels would still be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

#### **B. Impacts of the No Livestock Grazing Alternative.**

1. Soils: Soil compaction would be reduced on the allotment around old trails and drinking troughs and there would be a small reduction in soil loss on the allotment.
2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.
3. Wildlife: Wildlife would have no competition with livestock for forage and cover. There would be no maintenance of livestock waters. As these waters became inoperable, water availability could become a critical limiting factor for many wildlife species.
4. Livestock management: The forage from public land would be unavailable for use by the permittee. This would have a significant adverse economic impact to the livestock operation. The checkerboard land status on the allotment makes it economically unfeasible to fence out the federal land and use only the private land. It would become uneconomical for the permittee to continue in the agricultural business.
5. Visual Resources: There would be no change in the visual resources.
6. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.
7. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed

alternative, but this would be negligible when considering all sources of dust.

## **V. Cumulative Impacts**

Cumulative impacts of the grazing and no grazing alternatives were considered in Chapter 4 of Rangeland Reform '94 Draft Environmental Impact Statement and in Chapter 4 of the Roswell Resource Area Proposed RMP/EIS. The no livestock grazing alternative was not selected in either document.

On the allotment specific level, there will be no cumulatively significant impacts from the proposed action or from the no grazing alternative.

## **VI. Residual Impacts**

The area has been grazed by livestock since the early part of the 1900's, if not longer. Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

## **VII. Mitigating Measures**

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

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T. R. Kreager,  
Acting Assistant Field Office Manager - Resources

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Date

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